

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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STEVEN MCDERMOTT and  
STACEY MCDERMOTT  
Plaintiffs,

v.

DOCKET NO: 04-CV-12253

FEDEX GROUND PACKAGE SYSTEMS,  
INC., T.S. PRUITT, ALLEGIANCE  
HEALTHCARE, INC., D. PONCE, E.W.  
WYLIE CORPORATION, D.W. SMITH,  
ARSENBERGER TRUCKING, INC., J.T.  
FOSBRINK, RYDER TRUCK RENTAL,  
LORRAINE ODZANA as  
ADMINISTRATRIX OF THE ESTATE  
OF JAMES J. ODZANA, SHORELINE  
TRANSPORTATION, INC., JACLYN  
PALETTA as ADMINISTRATRIX OF  
THE ESTATE OF MARIO J. CASTRO  
Defendants.

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**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

The undersigned counsel and parties hereby affirm that counsel and clients have conferred (a) with a view to establish a budget for the costs of conducting the full course – and various alternative courses – of this litigation, and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

On behalf of the Defendants,

The Defendants,  
ARSENBERGER TRUCKING, INC. AND  
J.T. FOSBRINK,

/s/ Stephen Brooks

/s/Cheryl A. Enright

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Vice President  
Arsenberger Trucking Co.  
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the EFC system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 20<sup>th</sup> day of June, 2007.

/s/Cheryl A. Enright

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Cheryl A. Enright, BBO No. 552237